
Board of Health Minutes 02/05/2015

Town of Mashpee

*16 Great Neck Road North
Mashpee, Massachusetts 02649*

BOARD OF HEALTH – PUBLIC SESSION

Minutes of the Meeting of February 5, 2015

Board Members Present:

Lucy Burton, Chair
Burton Kaplan, Co-Chair
Kalliope Egloff, Clerk

Also Present:

Glen Harrington, Health Agent

Chair Lucy Burton called the meeting to order at 7:03 PM.

APPOINTMENTS**7:15 PM – Adriana and Luis Macedo – Show Causing Hearing – 12 Ashumet Road.**

Glen Harrington commented that the two year deadline to repair a failed septic system at 12 Ashumet Road has expired. Ms. Macedo spoke to Mr. Harrington and stated that she was not able to repair the septic system at this time. Kendall Ayers at the Barnstable County Septic Loan Program informed Mr. Harrington that he cannot issue a loan to the Macedos because there are liens against the property located at 12 Ashumet Road. Mr. Harrington commented that the Town of Mashpee and the USDA have programs to assist with the repair of septic systems.

Adriana Macedo of 12 Ashumet Road introduced herself to the Board.

Ms. Macedo commented she had no knowledge that there was a time frame to correct the failed septic system since her husband had been receiving all of the letters. The septic was pumped two years ago and is not overflowing.

Lucy Burton suggested to have the septic system pumped before March 15, 2015, and inform the Health Agent of the pumping. The Town Meeting takes place in May and approval to release the funds for the Community Septic Loan Program will occur at that time.

Kalliope Egloff commented that in the meantime Ms. Macedo should also apply to the USDA where the percentage rate for the loan is lower.

Kalliope Egloff made a motion that the Board of Health require Adriana Macedo of 12 Ashumet Road to pump the septic tank by March 15, 2015, submit proof of pumping to the Mashpee Health Department by March 24, 2015, appear at the Board of Health meeting scheduled on May 21, 2015, and submit a plan for repair of the septic system. Burton Kaplan seconded the motion. The motion was unanimously approved.

7:20 PM – Mike Hudson, Septic Inspector – Title V and Board of Health Violations.

Glen Harrington commented that Mike Hudson emailed all of the information that was required and submitted a check for the septic inspection report to the Health Office at 5:45 PM this evening. Mr. Harrington recommends a stern warning be given to Mr. Hudson since he did comply as requested.

Burton Kaplan made a motion that the Board of Health issue Mike Hudson his first warning and any subsequent issues will result in fines and/or suspension of his septic inspector's license. Kalliope Egloff seconded the motion. The motion was unanimously approved.

7:25 PM – Peter McEntee, P.E. – Variance Request – 17 Bearse Road.

Peter McEntee of Engineering Works, representing Joseph Sullivan of 17 Bearse Road, introduced himself to the Board.

Mr. McEntee stated that Mr. Sullivan is planning to sell the property located at 17 Bearse Road. It currently has a cesspool, and Mr. Sullivan intends to upgrade to a Title V system. It is a very small lot; therefore, Mr. McEntee is requesting three variances:

- A 2-foot variance, septic tank to the cellar wall and crawl space, for an 8-foot setback.
- A 2-foot variance, Soil Absorption System to the cellar wall and crawl space, for an 18-foot setback.
- A 1-foot reduction to the required 5-foot separation between maximum seasonal high groundwater and bottom of the Soil Absorption System, for a 4-foot separation.

Burton Kaplan made a motion that the Board of Health approve the three requested variances for 17 Bearse Road:

- A 2-foot variance, septic tank to the cellar wall and crawl space, for an 8-foot setback.
- A 2-foot variance, Soil Absorption System to the cellar wall and crawl space, for an 18-foot setback.
- A 1-foot reduction to the required 5-foot separation between maximum seasonal high groundwater and bottom of the Soil Absorption System, for a 4-foot separation.

Kalliope Egloff seconded the motion. The motion was unanimously approved.

NEW BUSINESS

- **Sign Expense Warrants: None.**
- **Review/Approve BOH Public Session Minutes: January 15, 2015.**

Kalliope Egloff made a motion that the Board of Health approve the Public Session minutes of January 15, 2015, as amended. Burton Kaplan seconded the motion. The motion was unanimously approved.

- **Change of DBA Status of Oak and Ember to El Colibri: 36 South Street.**

Glen Harrington commented that the ServSafe Certificates, the Allergen Awareness Certificates, and wait staff will remain the same for El Colibri. The only changes will be the menu and the dba status of Oak and Ember to El Colibri.

Burton Kaplan made a motion that the Board of Health approve the request for the 2015 Food Establishment Permit Application for the change of DBA Status of Oak and Ember to El Colibri with the condition of an inspection by the Health Agent prior to the issuance of the permit and operation. Kalliope Egloff seconded the motion. The motion was unanimously approved.

- **Request for 2015 Bodywork Facility License (Waves of Therapeutic Touch / Janis Parks):**

400 Nathan Ellis Highway.

Janis Parks, owner of Waves of Therapeutic Touch, introduced herself to the Board.

Ms. Parks remarked that she currently has a Bodywork Practitioner License in Mashpee. She had been given approval in July 2014 by the Board of Health for home visits as a bodywork therapist. She has now secured a

permanent location at 400 Nathan Ellis Highway as a bodywork facility.

Kalliope Egloff made a motion that the Board of Health approve the Bodywork Facility Permit for Janis Parks located at 400 Nathan Ellis Highway with the condition of an inspection by the Health Agent prior to the issuance of the permit and operation. Burton Kaplan seconded the motion. The motion was unanimously approved.

OLD BUSINESS

- **Release of Condemnation: 51 Santuit Pond Road.**

Glen Harrington commented that the house located at 51 Santuit Pond Road has been fully renovated, and all violations were corrected during the renovation. The dwelling was re-inspected on January 23, 2015, within the required time frame established by the Board of Health at the previous meeting. The fine of \$500.00 that was issued at the January 15, 2015, meeting has not been paid and will remain.

Burton Kaplan made a motion that the Board of Health release the condemnation at 51 Santuit Pond Road. Kalliope Egloff seconded the motion. The motion was unanimously approved.

- **Follow-up Calendar:**

- A. 87 Lighthouse Lane.**

Mr. Harrington stated that all the bids for the septic repair at 87 Lighthouse Lane have been received, but work cannot commence until after the May Town Meeting for the appropriation of the funds.

- B. 17 Ship's Wheel Drive.**

Mr. Harrington remarked that the recreational vehicle at 17 Ship's Wheel Drive has been secured and recommends removing this from the follow-up list.

- C. 5 Cross Street.**

Glen Harrington commented that all of the conditions have been met at 5 Cross Street. The house was razed, a new house was constructed, and the septic system was installed within the required time frame.

- D. 18 Great River Road.**

Mr. Harrington stated that the septic system at 18 Great River Road has been installed. The Certificate of Compliance was issued on January 16, 2015.

- E. 17C Summerwood Housing Violation.**

Glen Harrington remarked that the Board of Health previously lifted the condemnation at 17C Summerwood. However, some minor violations still exist. As yet, there have been no requests for follow-up inspections for the existing violations.

- F. 140 Noisy Hole Road.**

Mr. Harrington stated that he inspected the interior of the main house at 140 Noisy Hole Road and discovered that 3 bedrooms are presently utilized in the main dwelling. There is a current lease for the main house. The garage apartment also had a lease, which caused the septic system to be over capacity. The pumping has continued, the septic system has been designed, and the septic permit has been issued. However, with the snow and frost the installer, Scott Torrey, cannot install the septic system within the required time frame. Mr. Harrington suggested the contractor submit a letter for an extension to the installation of the septic system. Attorney Kevin Kirrane will also request an extension to the installation because it is beyond the owner's control.

ADDITIONAL TOPICS

None.

DISCUSSION

- **Community Septic Loan Program.**

Glen Harrington commented that he recommends an Article for the Community Septic Loan Program be submitted at the May Town Meeting. Mr. Harrington spoke with Mashpee's Town Accountant, Dawn Thayer, and she suggested

that the Article be placed on the Special Town Meeting and on the May Town Meeting. If it is approved at the Special Town Meeting, the funds will be available immediately, and approval at the May Town Meeting will allow funds to be available for the entire fiscal year. This is an annual approval which has been requested in previous years.

Kalliope Egloff suggested inserting the date that the Community Septic Loan Program was originally established into the Article so that the Town's people are aware this program has been ongoing.

The Board of Health authorized Glen Harrington to submit the Article for the Community Septic Loan Program to both the Special Town Meeting and the May Town Meeting for approval.

Lucy Burton made a motion that the Board of Health adjourn the Public Session, to enter into Executive Session, not to return to the Public Session. Kalliope Egloff seconded the motion. The motion was unanimously approved.

Roll Call Vote: Lucy Burton, yes; Kalliope Egloff, yes; Burton Kaplan, yes.

NEXT MEETING

The next meeting of the Board of Health is scheduled for Thursday, February 26, 2015, at 7:00 PM. As there was no further business, the Public Session Meeting of the Board of Health was adjourned at 7:39 PM.

Respectfully submitted,

Frances Boulos
Administrative Assistant
Mashpee Board of Health

Attachments